

JENIERE K. EVANS,

Plaintiff,

-V-

CITY OF NEW YORK and
SAMARITAN DAYTOP VILLAGE,

Defendants.

21 Civ. 8660 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

Plaintiff, who is proceeding *pro se*, filed a complaint in this action on October 21, 2021. Dkt. 2. On November 8, 2021, the Court issued an Order instructing “the Clerk of Court . . . to fill out a U.S. Marshals Service Process Receipt and Return form (‘USM-285 form’) for each defendant” and “to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon each defendant.”¹ Dkt. 5 at 2. Because the docket did not reflect any status regarding service on Defendant Samaritan Daytop Village by the U.S. Marshals Service, on March 2, 2022, the Court directed the Clerk of Court to fill out another USM-285 form for Defendant Samaritan Daytop Village and to issue the summons and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendant Samaritan Daytop Village. Dkt. 21. On March 11, 2022, Plaintiff filed a letter advising the Court of an address change for Defendant Samaritan Daytop Village. Dkt. 23.

¹ On October 22, 2021, the Court granted Plaintiff permission to proceed *in forma pauperis* (“IFP”). Dkt. 3. Because Plaintiff has been granted permission to proceed IFP, Plaintiff is entitled to rely on the Court and the U.S. Marshals Service to effect service. *Walker v. Schult*, 717 F.3d 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).


In light of Plaintiff's letter, the Clerk of Court is respectfully directed to fill out another USM-285 form for Defendant Samaritan Daytop Village and to issue the summons and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendant Samaritan Daytop Village at the new address:

Samaritan Daytop Village, Inc.
138-02 Queens Boulevard
Jamaica, New York 11435

The Clerk of Court is further directed to mail a copy of this order to Plaintiff.

SO ORDERED.

Dated: March 14, 2022
New York, New York



JOHN P. CRONAN
United States District Judge